

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 03-151 (JRT/FLN)

Plaintiff,

v.

ORDER

RICHARD ASHTON OSLUND,

Defendant.

Andrew R. Winter and Nathan P. Petterson, Assistant United States Attorneys, **UNITED STATES ATTORNEY'S OFFICE**, 600 United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415, for plaintiff.

Richard Ashton Oslund, Reg. No. 11010-041, USP Terre Haute, Post Office Box 33, Terre Haute, IN 47808, *pro se*.

On October 26, 2004, a jury found Richard Ashton Oslund guilty of robbery affecting interstate commerce (Count I), murder with a firearm during a robbery (Count II), and being a felon in possession of a firearm (Count III) in violation of 18 U.S.C. §§ 922(g)(1), 924(c)(1)(A), (e)(1), (j)(1), and 1951. (*See* Verdict Form, Oct. 26, 2004, Docket No. 117.) Oslund was then sentenced to twenty years' imprisonment on Count I and to consecutive life sentences on Counts II and III. (Sentencing J., Nov. 23, 2004, Docket No. 124.) The Eighth Circuit affirmed his conviction and sentence. *See United States v. Oslund*, 453 F.3d 1048 (8th Cir. 2006).

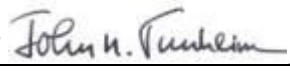
Oslund, in anticipation of seeking permission to file a second 28 U.S.C. § 2255 petition, now brings a motion requesting that the Court direct the United States to

maintain and preserve evidence related to the investigation of his criminal charges. The United States does not object to the motion, and has confirmed that the Federal Bureau of Investigation and the Bloomington Police Department have maintained and will continue to maintain the documents and evidence related to the criminal investigation. (*See* Response at 2, Jan. 8, 2014, Docket No. 162.) Accordingly, the Court will grant Oslund's motion to the extent it requests maintenance of documents and evidence related to the investigation of his criminal charges that are in the possession of those agencies.¹

ORDER

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendant's Pro Se Motion Requesting an Order Directing the Government and its Agents to Maintain and Preserve Evidence [Docket No. 160] is **GRANTED** as described more fully in this Order.

DATED: January 14, 2014
at Minneapolis, Minnesota.

s/ 

JOHN R. TUNHEIM
United States District Judge

¹ The United States notes that certain of the items referenced in Oslund's motion such as "all white or tan vehicles pulled from the Mississippi River after the I-35 bridge collapse" are not in the possession of either investigating agency and do not constitute evidence related to the investigation or prosecution of Oslund. (Pro Se Mot. at 2, Sept. 30, 2013, Docket No. 160.) This Order only obligates the FBI and Bloomington Police Department to retain and maintain evidence and documents that are in their possession and related to the criminal investigation of Oslund.